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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,150	07/31/2003	Shu-Chen Yang		5442
25859	7590	09/02/2004		
WEI TE CHUNG			EXAMINER	
FOXCONN INTERNATIONAL, INC.			LEON, EDWIN A	
1650 MEMOREX DRIVE				
SANTA CLARA, CA 95050			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/633,150	YANG ET AL.	
	Examiner Edwin A. León	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 6/2/04.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 9-15 is/are allowed.
- 6) Claim(s) 1-8 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Response to Amendment***

1. Applicant's amendment filed June 2, 2004 in which Claims 1-2 and 8-9 have been amended, has been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Simmel (U.S. Patent No. 6540,542). With regard to Claim 1, Simmel discloses a cable connector assembly (10) comprising a housing (14) having a mating face (20), an outer side face (sides of 14), a receiving space (located in 20 and formed between posts 34) defined in the mating face (20), a plurality of passageways (Fig. 2, where 24 are located) communicating with the receiving space (located in 20 and formed between posts 34), and a guiding post (34) formed on the outer face (sides of 14) and extending

along the outer face (sides of 14) in a mating direction of the housing (14), a plurality of contacts (24) received in the passageways (Fig. 2, where 24 are located) of the housing (14); a cable (18) electrically connecting with the contacts (24), and an enclosure (formed by the combination of 12 and 36) enclosing the housing (14), the contacts (24), and the cable (18), the enclosure (formed by the combination of 12 and 36) being formed with a positioning post (48) on an outer side face (50) thereof and extending in the mating direction of the housing (14). See Figs. 1-7.

With regard to Claim 2, Simmel discloses the positioning post (48) being adjacent and substantially parallel to the guiding post (34) of the housing (14). See Figs. 1-7.

With regard to Claim 3, Simmel discloses the guiding post (34) and the positioning post (48) defining a slot (space between 34 and 48) therebetween. See Figs. 1-7.

With regard to Claim 4, Simmel discloses the guiding post (34) of the housing (14) and the positioning post (48) of the enclosure (formed by the combination of 12 and 36) extending not beyond the mating face (20) of the housing (14). See Figs. 1-7.

With regard to Claim 5, Simmel discloses the positioning post (48) having a lead-in face on a free end (distal end 48) thereof. See Figs. 1-7.

With regard to Claim 6, Simmel discloses the enclosure (formed by the combination of 12 and 36) being formed with a plurality of ribs (44a) on an upper face (upper surface of 36) thereof. See Figs. 1-7.

With regard to Claim 7, Simmel discloses the cable (18) extending in the mating direction of the housing (14). See Figs. 1-7.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Simmel (U.S. Patent No. 6540,542). Simmel discloses the claimed invention except for the cable connector assembly extending in a direction, which is perpendicular to the mating direction of the cable connector assembly.

Wagner discloses a similar cable connector assembly (10) extending in a direction (40 is extended in an horizontal direction), which is perpendicular to a mating direction (vertical direction) of the cable connector assembly (10). See Fig. 1.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify assembly of Simmel by including the cable connector assembly extending in a direction, which is perpendicular to the mating direction of the cable connector assembly as taught in Wagner to conform with Serial ATA connectors standards, which require the connector to be L-shaped.

***Allowable Subject Matter***

6. Claims 9-15 are allowed for the reasons stated in the Office Action of March 2, 2004.

***Response to Arguments***

6. Applicant's arguments filed June 2, 2004 have been fully considered but they are not persuasive. In response to Applicant's arguments that the Simmel reference doesn't show the housing having a guiding post formed on the outer face and extending along the outer face in a mating direction of the housing and the enclosure being formed with a positioning post on an outer side face thereof and extending in the mating direction of the housing, Applicant's attention is directed to Figs. 3-4 in which the Simmel reference discloses a guiding post (34) formed on the outer face (sides of 14) and extending along the outer face (sides of 14) in a mating direction of the housing (14) and the enclosure (formed by the combination of 12 and 36) being formed with a positioning post (48) on an outer side face (50) thereof and extending in the mating direction of the housing (14). Applicant is reminded that elements 34 and 48 can be considered the guiding and positioning post since both extend in the mating direction of the housing (14) and are formed in the outer faces (sides 14) of the housing (14) and the enclosure (formed by the combination of 12 and 36) respectively as required in the claim. It is the Examiner's

opinion that the Simmel reference would meet Applicant's claims in their broadest interpretation.

In response to Applicant's arguments that the Simmel reference doesn't show the guiding and positioning posts being used to be interferentially received in a corresponding groove of the complementary connector, the limitations on which Applicant relies are not stated in the claims. It is the claims that define the claimed invention, and it is claims, not specifications that are anticipated or unpatentable.

*Constant v. Advanced Micro-Devices Inc.*, 7 USPQ2d 1064.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL** necessitated by amendment. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (571) 272-2008. The examiner can normally be reached on Monday - Friday 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800, extension 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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August 18, 2004